

REMARKS

Claims 1-23 are pending in the present application.

Election/Restriction

The Examiner has required election in the present application between Groups I-IV as listed in the Office Action in paragraph 1 at page 2.

The Examiner has also required election as stated in paragraph 5 of the Office Action.

Election with Traverse

For the purpose of examination of the present application, Applicants elect, with traverse, Group II, claims 13-18, drawn to a method of making a library of hydrophilic peptides using an intein-fusion system. Claim 1 is a claim linking Groups I-III (see paragraph 2, page 3 of the Office Action). Further, in response to the election required in paragraph 5 of the Office Action, Applicants elect the peptide of claim 12 with traverse.

Applicants note that the Group II classification of only claims 13-18 appears to be in error. Instead, claims 1-7 and 9-14 appear to belong to Group II rather than claims 13-18. This is because, for example, claim 11 refers directly to a library of hydrophilic peptides, and thus clearly belongs in Group II. As another example, claims 16-18 define unnatural amino acids, and therefore these claims may belong to Group III.

The basis for the traversal is as follows.

The Examiner states that Groups I-IV do not relate to single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the Groups lack the same or corresponding

special technical features (see paragraph 3 of the Office Action). Specifically, the Examiner states that the technical feature of making disulfide-linked peptides with an intein-fusion system is not a contribution over the prior art, wherein U.S. Patent Application Publication No. 2003/026004 A1 is cited. However, Applicants respectfully note that the cited paragraph [0225] in the '004 publication states "inteins can be used to catalyze head-to-tail peptide ligation." This is not a reference to peptides with disulfide bridges, but instead to peptides which have been cyclized by peptide bonds between their N- and C-terminal amino acids. Consequently, Applicants respectfully submit that the basis for the present Restriction Requirement and grouping of claims is in error. At the very least, the claims in Groups I-III (claims 1-7, 9-18 and 23), and if possible, at least Groups I and II (claims 1-7 and 9-15) should be examined together.

Furthermore, Applicants respectfully refer the Examiner to the IPER for this application (International Application No. PCT/FI2003/000705 filed September 29, 2003), wherein there was no lack of unity of invention finding. The Examiner's findings are in contrast to the IPER. Further, there is an inconsistency when the Examiner cites PCT rules (see the top of page 5 of the Office Action), yet does not follow the IPER findings.

Regarding the election as stated in paragraph 5 of the Office Action, Applicants traverse in that they question the basis for selecting an individual peptide since the main claim is directed to a method.

Applicants also request any rejoinder as stated in paragraph 5 of the Office Action (citing *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995)).

Accordingly, for any and all of the reasons stated above, rejoinder of the Groups is warranted and respectfully requested.

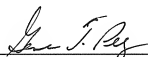
An early and favorable action on the pending claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 7, 2007

Respectfully submitted,

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